

MINUTE ITEM

13. APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR REMOVING PIPELINE TRESTLE NAVIGATIONAL OBSTACLE FROM LOS CERRITOS CHANNEL BY CONSTRUCTING AN UNDERWATER CROSSING - L.B.W.O. 10,142.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION APPROVES THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., TO EXPEND FROM THE CITY'S SHARE OF THE TIDELAND OIL REVENUES, SUBSEQUENT TO MAY 25, 1961, NOT MORE THAN \$20,000 NOR MORE THAN 12.5/65THS OF THE COST OF CONSTRUCTION (EXCLUSIVE OF THE COSTS OF REMOVAL OF THE EXISTING PIPELINE TRESTLE) OF A SUBMARINE PIPELINE CROSSING OF LOS CERRITOS CHANNEL; SUBJECT TO THE CONDITION THAT THE CITY HAS NO INTENTION OF REPLACING THE VEHICULAR BRIDGE FORMERLY LOCATED ACROSS LOS CERRITOS CHANNEL ON PARK BOULEVARD AT THE MARINE STADIUM, WHICH BRIDGE WAS REMOVED BY CITY FORCES IN DECEMBER 1960; AND ALSO SUBJECT TO THE CONDITION THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION BY THE CITY AND BY THE STANDARD OIL COMPANY.

Attachment

Calendar Item 11 (3 pages)

CALENDAR ITEM

11.

APPLICATION OF THE CITY OF LONG BEACH FOR EXPENDITURE OF TIDELAND OIL REVENUES FOR REMOVING PIPELINE TRESTLE NAVIGATIONAL OBSTACLE FROM LOS CERRITOS CHANNEL BY CONSTRUCTING AN UNDERWATER CROSSING - L.B.W.O. 10,142.

On February 3, 1961 the City of Long Beach, through the office of the City Attorney, made request of the State Lands Commission for use of the City's portion of the Tideland Oil Revenues to defray partial costs of constructing a submarine pipeline at an estimated cost of \$65,000, as replacement for a pipeline trestle which has been declared a navigational hazard where it crosses Los Cerritos Channel. The location of the existing trestle crossing and the location of the proposed underwater crossing are shown on Exhibit "B" attached hereto.

In letter date March 2, 1961, the City Attorney revised and further amplified the original request as follows: "in accordance with our recent telephone conversation we are herewith transmitting a copy of Resolution No. C-17769 of the City Council, entitled "A Resolution Requesting Removal of Oil Company Pipeline Trestle Over Los Cerritos Drainage Channel South of Highway 101".

"May we take this opportunity to again explain the City's reasoning in this application. The City is interested in having both the pipeline trestle and the bridge at the north side of the Marine Stadium crossing the Los Cerritos Drainage Channel removed as obstacles to navigation for the many small boats in this area. The Army Corps of Engineers has ordered that the pipeline trestle be removed as an obstacle to navigation.

"As we explained in our letter of February 3, 1961, the City is required to maintain the bridge because of a clause in the deed by which the City acquired the street easement to the roadway connecting on either side of the bridge. The City has persuaded the owners of the property in whose favor the deed obligation to maintain the bridge runs to permit the City to remove this bridge, but they are willing to do so if we will also remove the pipeline trestle across Los Cerritos Channel northerly of the bridge on the north side of the Marine Stadium.

"The Standard Oil Company originally estimated that they could comply with the Army Corps of Engineers' order by building a high overhead crossing. However, in our estimation, such an overhead crossing would not be in keeping with the style of improvements which have thus far been built in the area.

"In order to place the pipeline underground, it was first thought that it would cost \$65,000.00. The Standard Oil Company agreed to pay \$40,000.00 of this amount, and the owners of the property on either side of the Los Cerritos Channel agreed to pay \$12,500.00 if the City would also contribute \$12,500.00 of tideland oil funds, which would have made a total of \$65,000.00. (Standard Oil Company estimated the overhead crossing would have cost them \$30,000.00, all of which Standard Oil Company would have paid).

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"Then it was found, as we reported to you in our letter of February 20, 1961, that the estimate of the work in which the City would participate would be a total of \$80,000.00, and as the original proposition was based upon the expectation that the City would pay \$12,500.00 out of a total of \$65,000.00, the same ratio is now to apply to the increased cost of \$80,000.00. In other words, Standard Oil Company will pay 40/65ths of the total cost, the adjacent upland owners will pay 12.5/65ths and the City will pay 12.5/65ths of the total cost. However, due to the limitations imposed by Lands Commission approval, we are asking permission to spend not to exceed \$20,000.00 on this project."

The requested amount of \$20,000 exceeds the City's proportionate share of the estimated cost by \$4,615. (\$20,000 minus 12.5/65ths of \$80,000).

In informal opinion, dated 4/21/61, the Attorney General stated that the expenditure contemplated here is legally permissible in furtherance of commerce and navigation and that the expenditure will result in relieving the City of the requirement that it reconstruct and maintain the vehicular bridge south of the trestle. The Attorney General also states that the legality of the proposed expenditure is not adversely affected by the fact that the City also has an aesthetic purpose in mind in respect to its desire for a submarine crossing. The Attorney General suggests that if the Commission approves the expenditure, that such approval should be made conditional upon the City's statement that it intends to remove the vehicular bridge and has no intention of replacing it.

In letter dated 4/26/61 the City Attorney states that the City has ordered removal of the bridge by its forces and has no current plans for the replacement of the vehicular bridge at or near its present location.

At present, the pipelines cross Los Cerritos Channel on a timber bridge supported on timber pile bents. The bridge, now closed to vehicular traffic, has a roadway width of approximately 20 feet. The pipes are carried on cantilever extensions outside of the roadway on each side of the bridge. The bridge was built in 1926 by Marland Oil Company, which is now Continental Oil Company, and at a somewhat later date, Standard Oil Company acquired an interest in it. The bridge is located approximately 900 feet southerly from the Pacific Coast Highway and lies approximately midway between the highway and the marine stadium.

The second bridge, identified above as connected with a deed obligation, was located adjacent to the shore of the marine stadium. The bridge in its entirety was removed in December 1960.

The submarine crossing will be parallel to and approximately 130 feet upstream from the existing pipe crossing. At the location of the crossings, the channel is approximately 300 feet wide; scaled distance between lines of Tideland Survey No. 105 near these locations is 170 feet.

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The surrounding area has historically been devoted almost entirely to oil field use; planned improvements for the area should increase the value of adjacent property.

Attached exhibits give further detail of the proposed work: Exhibit "B" is a location or vicinity sketch; Exhibit "C" shows details of the work; Exhibit "D" contains photographs of the existing crossing and the location of the proposed crossing.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE THE APPLICATION OF THE CITY OF LONG BEACH, PURSUANT TO THE AUTHORITY OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., TO EXPEND FROM THE CITY'S SHARE OF THE TIDELAND OIL REVENUES, SUBSEQUENT TO MAY 25, 1961, NOT MORE THAN \$20,000 NOR MORE THAN 12.5/65THS OF THE COST OF CONSTRUCTION (EXCLUSIVE OF THE COSTS OF REMOVAL OF THE EXISTING PIPELINE TRESTLE) OF A SUBMARINE PIPELINE CROSSING OF LOS CERRITOS CHANNEL; SUBJECT TO THE CONDITION THAT THE CITY HAS NO INTENTION OF REPLACING THE VEHICULAR BRIDGE FORMERLY LOCATED ACROSS LOS CERRITOS CHANNEL ON PARK BOULEVARD AT THE MARINE STADIUM, WHICH BRIDGE WAS REMOVED BY CITY FORCES IN DECEMBER 1960; AND ALSO SUBJECT TO THE CONDITION THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION BY THE CITY AND BY THE STANDARD OIL COMPANY.